

as herein provided for, or specifically designate the officer or officers to whom it may be delegated. This chapter shall not be deemed to limit or derogate from any existing or inherent right of the President to delegate the performance of functions vested in him by law, and nothing herein shall be deemed to require express authorization in any case in which such an official would be presumed in law to have acted by authority or direction of the President.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

§ 303. Definitions

As used in this chapter, the term “function” embraces any duty, power, responsibility, authority, or discretion vested in the President or other officer concerned, and the terms “perform” and “performance” may be construed to mean “exercise”.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

CHAPTER 5—EXTENSION OF CERTAIN RIGHTS AND PROTECTIONS TO PRESIDENTIAL OFFICES

SUBCHAPTER I—GENERAL PROVISIONS

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- 401. Definitions.
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SUBCHAPTER II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

- 411. Rights and protections under title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and title I of the Americans with Disabilities Act of 1990.
- 412. Rights and protections under the Family and Medical Leave Act of 1993.
- 413. Rights and protections under the Fair Labor Standards Act of 1938.
- 414. Rights and protections under the Employee Polygraph Protection Act of 1988.
- 415. Rights and protections under the Worker Adjustment and Retraining Notification Act.
- 416. Rights and protections relating to veterans' employment and reemployment.
- 417. Prohibition of intimidation or reprisal.

PART B—PUBLIC ACCESS PROVISIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

- 421. Rights and protections under the Americans With Disabilities Act of 1990.¹

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

- 425. Rights and protections under the Occupational Safety and Health Act of 1970; procedures for remedy of violations.

¹ So in original. Does not conform to section catchline.

PART D—LABOR-MANAGEMENT RELATIONS

- 431. Application of chapter 71 of title 5, relating to Federal service labor-management relations; procedures for remedy of violations.

PART E—GENERAL

- 435. Generally applicable remedies and limitations.

SUBCHAPTER III—ADMINISTRATIVE AND JUDICIAL DISPUTE RESOLUTION PROCEDURES

- 451. Procedure for consideration of alleged violations.
- 452. Counseling and mediation.
- 453. Election of proceeding.
- 454. Appropriate agencies.
- 455. Effect of failure to issue regulations.
- 456. Confidentiality.

SUBCHAPTER IV—EFFECTIVE DATE

- 471. Effective date.

SUBCHAPTER I—GENERAL PROVISIONS

§ 401. Definitions

(a) **IN GENERAL.**—Except as otherwise specifically provided in this chapter, as used in this chapter:

(1) **BOARD.**—The term “Board” means the Merit Systems Protection Board under chapter 12 of title 5.

(2) **COVERED EMPLOYEE.**—The term “covered employee” means any employee of an employing office.

(3) **EMPLOYEE.**—The term “employee” includes an applicant for employment and a former employee.

(4) **EMPLOYING OFFICE.**—The term “employing office” means—

(A) each office, agency, or other component of the Executive Office of the President;

(B) the Executive Residence at the White House; and

(C) the official residence (temporary or otherwise) of the Vice President.

(b) **DEFINITIONS RELATING TO CERTAIN MATTERS.**—For purposes of applying this chapter with respect to any practice or other matter—

(1) to which section 411 relates, the terms “employing office” and “covered employee” shall each be considered to have the meaning given to the term by such section;

(2) to which section 412 relates, the term “covered employee” means a covered employee described in section 412(a)(2)(B);

(3) to which section 413 relates, the term “covered employee” excludes interns and volunteers, as described in section 413(a)(2); and

(4) to which section 416 relates, the term “covered employee” means a covered employee described in section 416(a)(2).

(Added Pub. L. 104-331, § 2(a), Oct. 26, 1996, 110 Stat. 4054.)

REGULATIONS

Section 2(b) of Pub. L. 104-331 provided that: “Appropriate measures shall be taken to ensure that—

“(1) any regulations required to implement section 411 of title 3, United States Code, shall be in effect by October 1, 1997; and

“(2) any other regulations needed to implement chapter 5 of title 3, United States Code, shall be in ef-